



CRAIG WENNER  
Tel.: (212) 909-7625  
E-mail: [cwenner@bsfllp.com](mailto:cwenner@bsfllp.com)

December 7, 2020

BY ECF

MEMO ENDORSED

Honorable Sidney H. Stein  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1010  
New York, New York 10007

**Re: *United States v. Ariel Jimenez, et al.*, Case No. 18 Cr. 879 (SHS)**

Dear Judge Stein:

We represent defendant Ariel Jimenez and write to respectfully request that the Court modify the terms of Mr. Jimenez's release to permit him to leave his home without prior authorization from Pretrial Services for medical emergencies relating to his domestic partner—who is nine-months pregnant and at a high risk for complications—or their expected newborn, so long as Mr. Jimenez notifies Pretrial Services as soon as possible. The Government consents to our request, and Pretrial Services raises no objection and will defer to the Court.

The Court most recently modified the terms of Mr. Jimenez's release to permit him to leave his home with the prior approval of Pretrial Services in order to conduct job interviews. [ECF No. 237.] Mr. Jimenez is grateful for the work opportunities that he has so far pursued, but unfortunately, he had not yet secured a job offer. Meanwhile, as Pretrial Services authorized me to report, Mr. Jimenez has remained in full compliance with his bail conditions. Mr. Jimenez hopes that through his strict compliance with the terms of his release, he will be able to continue to demonstrate that the Court's trust in him has not been misplaced.

Presently, Mr. Jimenez resides at home with his domestic partner, who is nine-months pregnant. Mr. Jimenez has provided us—his counsel—with copies of medical records from her physician explaining that the circumstances of her high-risk pregnancy and her own independent health complications. The doctor's instructions include, among other things, that she not lift any object weighing more than one pound. (Given the sensitive personal nature of these records, we have not attached them to our application, but we can make them available to the Court if requested.) Consequently, Mr. Jimenez's domestic partner has been significantly impaired in her ability to care for herself and the pregnancy. We are also mindful of the post-partum care that will be required for her and the newborn, and so we are structuring our request with that mind.

BOIES SCHILLER FLEXNER LLP



We have conferred with the Government and Pretrial Services, and the parties and Pretrial Services agree that Mr. Jimenez's current bail conditions permit him to leave his home with prior approval of Pretrial Services to run necessary errands, such as going to the grocery store or the pharmacy, so long as he spends no more than 2 hours running these errands. The parties and Pretrial Services also agree that Mr. Jimenez's current conditions permit him to attend medical appointments for his partner and/or their child, again so long as he obtains preapproval.

However, Mr. Jimenez's current conditions do not permit him to leave the home without preapproval for medical emergencies for his partner or their child. Urgent medical care may be needed for Mr. Jimenez's partner or their newborn at times when it is impracticable to secure preapproval from Pretrial Services, such as with the birth itself or when time is of the essence.

Accordingly, we respectfully request that **the Court permit Mr. Jimenez to leave his home for medical emergencies relating to his partner and/or their child when preauthorization is not possible, so long as he notifies Pretrial Services as soon as possible.** Again, the Government consents to this request.

We thank the Court for its consideration.

Respectfully,

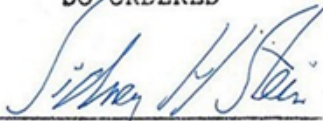
/s/ Craig Wenner  
Craig Wenner

Copy to:

AUSAs Daniel Nessim, Ni Qian, and Marguerite Colson (via ECF)  
Pretrial Services Officer Bernisa Mejia (via email)

**Request granted.**

**Dated: New York, New York  
December 8, 2020**

SO ORDERED  
  
SIDNEY H. STEIN  
U.S.D.J.